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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

ROBERT PACEK

Criminal No. 22-99  
(18 U.S.C. §§ 2, 2252(a)(2), 2252(b)(1),  
2252(a)(4)(B) and 2252(b)(2))

INDICTMENT

COUNT ONE

**FILED**

APR - 5 2022

CLERK U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

The grand jury charges:

From on or about February 28, 2021, and continuing thereafter until on or about March 11, 2021, in the Western District of Pennsylvania and elsewhere, the defendant, ROBERT PACEK, did conspire, combine, confederate and agree with others known and unknown to the Grand Jury, to knowingly receive and distribute any visual depiction of a minor using any means and facility of interstate and foreign commerce, namely, the Internet and a computer, and the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct, and that depicted a minor engaging in sexually explicit conduct, as those terms are defined in Title 18, United States Code, Section 2256.

In violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

**COUNT TWO**

The grand jury further charges:

On or about February 28, 2021, in the Western District of Pennsylvania and elsewhere, the defendant, ROBERT PACEK, did knowingly distribute and attempt to distribute a visual depiction of a minor, namely, Visual Depiction 1, using any means and facility of interstate and foreign commerce, namely, the Internet and a computer, the production of which visual depiction involved the use of a minor engaging in sexually explicit conduct, and that depicted a minor engaging in sexually explicit conduct, as those terms are defined in Title 18, United States Code, Section 2256.

In violation of Title 18, United States Code, Sections 2252(a)(2), 2252(b)(1) and 2.

**COUNT THREE**

The grand jury further charges:

On or about February 28, 2021, in the Western District of Pennsylvania and elsewhere, the defendant, ROBERT PACEK, did knowingly distribute and attempt to distribute a visual depiction of a minor, namely, Visual Depiction 2, using any means and facility of interstate and foreign commerce, namely, the Internet and a computer, the production of which visual depiction involved the use of a minor engaging in sexually explicit conduct, and that depicted a minor engaging in sexually explicit conduct, as those terms are defined in Title 18, United States Code, Section 2256.

In violation of Title 18, United States Code, Sections 2252(a)(2), 2252(b)(1) and 2.

**COUNT FOUR**

The grand jury further charges:

On or about February 28, 2021, in the Western District of Pennsylvania and elsewhere, the defendant, ROBERT PACEK, did knowingly distribute and attempt to distribute a visual depiction of a minor, namely, Visual Depiction 3, using any means and facility of interstate and foreign commerce, namely, the Internet and a computer, the production of which visual depiction involved the use of a minor engaging in sexually explicit conduct, and that depicted a minor engaging in sexually explicit conduct, as those terms are defined in Title 18, United States Code, Section 2256.

In violation of Title 18, United States Code, Sections 2252(a)(2), 2252(b)(1) and 2.

**COUNT FIVE**

The grand jury further charges:

On or about February 28, 2021, in the Western District of Pennsylvania and elsewhere, the defendant, ROBERT PACEK, did knowingly distribute and attempt to distribute a visual depiction of a minor, namely, Visual Depiction 4, using any means and facility of interstate and foreign commerce, namely, the Internet and a computer, the production of which visual depiction involved the use of a minor engaging in sexually explicit conduct, and that depicted a minor engaging in sexually explicit conduct, as those terms are defined in Title 18, United States Code, Section 2256.

In violation of Title 18, United States Code, Sections 2252(a)(2), 2252(b)(1) and 2.

**COUNT SIX**

The grand jury further charges:

On or about February 28, 2021, in the Western District of Pennsylvania and elsewhere, the defendant, ROBERT PACEK, did knowingly distribute and attempt to distribute a visual depiction of a minor, namely, Visual Depiction 5, using any means and facility of interstate and foreign commerce, namely, the Internet and a computer, the production of which visual depiction involved the use of a minor engaging in sexually explicit conduct, and that depicted a minor engaging in sexually explicit conduct, as those terms are defined in Title 18, United States Code, Section 2256.

In violation of Title 18, United States Code, Sections 2252(a)(2), 2252(b)(1) and 2.

**COUNT SEVEN**

The grand jury further charges:

On or about November 8, 2021, in the Western District of Pennsylvania, the defendant, ROBERT PACEK, did knowingly possess visual depictions, namely, videos and images in computer graphic and digital files, the production of which involved the use of minors engaging in sexually explicit conduct, as those terms are defined in Title 18, United States Code, Section 2256, and which depict prepubescent minors and minors who had not attained 12 years of age engaging in sexually explicit conduct, all of which had been shipped and transported using any means or facility of interstate and foreign commerce, and were produced using materials which had been shipped and transported in interstate and foreign commerce, by any means, including by computer and the internet.

In violation of Title 18, United States Code, Sections 2252(a)(4)(B) and 2252(b)(2).

**FORFEITURE**

1. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given to the defendant, ROBERT PACEK, that the United States will seek forfeiture as part of any sentence in accordance with Title 18, United States Code, Section 2253 in the event of the defendant's conviction under Counts One through Seven of this Indictment.

2. Pursuant to Title 18, United States Code, Section 2253, upon conviction of the offenses set forth in Counts One through Seven of this Indictment, in violation of Title 18, United States Code, Section 2252, the defendant, ROBERT PACEK, shall forfeit to the United States of America:

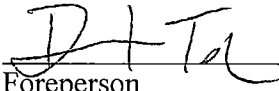
- a) Any visual depiction described in Title 18, United States Code, Section 2251, or any book, magazine, periodical, film, videotape, or other matter that contains any such visual depiction that was produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Chapter 110;
- b) Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense; and
- c) Any property, real or personal, used or intended to be used to commit or to promote the commission of the offense.

3. As a result of the commission of the violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1), as charged in Counts One through Six of the Indictment, and Title 18, United States Code 2252(a)(4)(B) and 2252(b)(2), as charged in Count Seven of the Indictment, the following property, which was used to commit or to facilitate the




commission of said violation is to be forfeited: One (1) Caterpillar (CAT) Mobile Telephone Model S41, IMEI: 35788008070291.

A True Bill,

  
Foreperson

  
CINDY K. CHUNG  
United States Attorney  
PA ID No. 317227

  
KAREN GAL-OR  
Assistant United States Attorney  
PA ID No. 317258